

REMARKS

The Applicant has reviewed and fully considered the June 28, 2007 Office Action received in the above-referenced application. The abstract was objected to due to a grammatical error. The abstract has been amended to address this error.

Claims 3-6 are rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 2,668,689 (Cormany). Claim 3 has been amended to include the limitation that the power tong and back-up tong are movable relative to each other through the operation of a hydraulic cylinder. Claim 3 has also been amended to include the limitation that the assembly is movable along one or more of the guide columns through operation of a cog along the pitch rack of a guide column. Cormany fails to disclose these limitations or provide an apparatus which can be operated in this manner.

Referring to Figures 13 and 14 in Cormany, the columns 218 are affixed to the back-up tong 142 while the power tong 78 is movable along these columns 218 the back-up tong 142 is not. Further, the distance between the power tong 78 and the back-up-tong 142 is achieved through the bias of helical springs 152, 153 and 154 not through operation of a hydraulic cylinder as found in claim 3.

Additionally the elevation of the assembly of the power tong 78, back-up tongs 142 and columns 218 is achieved by operation of a cable 212. Claim 3 has this elevation adjusted through operation of a cog on a pitch rack mounted on a guide column. The device in Cormany fails to disclose the limitations as outlined in Claim 3.

Claims 4, 5 and 6 depend either directly or indirectly from Claim 3. As such they include all the limitations found in Claim 3. Based on the shortfall of the disclosure in Cormany, the Applicant respectfully requests the rejection of Claims 3 through 6 under 35 USC 102(b) as being anticipated by Cormany be withdrawn.

The Applicant believes that they have addressed all the outstanding issues and that the application is in condition for allowance and therefore respectfully request such.

Applicant believes no fees are due with this response. However, if this is not the case, any necessary fees should be charged to Deposit Account No. 50-1971. Should any other amendments be necessary to place the application in condition for a Notice of Allowance, Examiner Stevens is invited to call the undersigned at the below noted telephone number.

Respectfully submitted,

A handwritten signature in black ink, reading "Chad M. Hinrichs", is written over a horizontal line.

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